

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Raymond Joseph Traylor,

File No. 22-cv-1268 (ECT/ECW)

Petitioner,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Commissioner of Corrections, Warden,

Respondent.

Petitioner Raymond Joseph Traylor commenced this action pro se by filing a petition for a writ of habeas corpus. ECF No. 1. The case is before the Court on a Report and Recommendation [ECF No. 18] issued by Magistrate Judge Elizabeth Cowan Wright. Magistrate Judge Wright recommends dismissing Traylor's petition without prejudice for lack of subject-matter jurisdiction. R&R at 3. Traylor filed an objection to the Report and Recommendation. ECF No. 19. Respondent did not respond to the objection. Because Traylor has objected, the Court is required to review the Report and Recommendation de novo pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b)(3). The Court has undertaken that de novo review and has concluded that Magistrate Judge Wright's analysis and conclusions are correct.

Therefore, based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Objection to the Report and Recommendation [ECF No. 19] is **OVERRULED.**

2. The Report and Recommendation [ECF No. 18] is **ACCEPTED** in full.

3. The Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction.

4. Petitioner's Motion for Appointment of Defense Counsel [ECF No. 9] is **DENIED WITHOUT PREJUDICE** as **MOOT**.

5. Petitioner's Motion for Discovery Subpoena [ECF No. 11] is **DENIED WITHOUT PREJUDICE** as **MOOT**.

6. Petitioner's Motion for Complete Transcripts [ECF No. 13] is **DENIED WITHOUT PREJUDICE** as **MOOT**.

7. Petitioner's motion to amend the original petition to add the claim of "unlawful imprisonment" and for a hearing [ECF No. 17] is **DENIED WITHOUT PREJUDICE** as **MOOT**.

8. No certificate of appealability will issue.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 1, 2022

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court